

## **MISSOURI BUDGET AND LEGISLATIVE AGENDA**

### **Living in a Safe, Secure Missouri**

**"The American way of life will go on,  
stronger and safer than ever in Missouri."**

**Governor Bob Holden**

Governor Holden has pledged to protect the citizens of Missouri. It is one of the most important obligations of state and local governments. Missourians should be able to feel safe in their neighborhoods and communities throughout the state. The Governor's Fiscal Year 2003 budget includes funding to address homeland security. In addition, the Governor proposes funding for the Department of Corrections, services for veterans, and several initiatives to improve safety throughout the state. In his first year, Governor Holden accomplished the following to make Missouri a safer place to live and support the state's veterans:

- Signed legislation to strengthen the state's driving while intoxicated laws. The legal limit for blood alcohol content was lowered to .08 and stronger penalties were established for repeat offenders. As a result, the diversion of \$8 million in federal highway funds was avoided, and Missouri will qualify for an estimated \$3 million in federal incentive funds. House Bill 302 was signed into law June 12, 2001.
- Signed legislation to improve services for crime victims. Governor Holden proposed better coordination of state services by establishing an Office for Victims of Crime to assist crime victims, advocates, and local communities in their efforts to provide for fair and just treatment of victims. Senate Bill 267 was signed into law July 2, 2001, and will provide a central point of contact for crime victims in Missouri. The work of providing statewide victim notification efforts is already under way.
- Signed legislation to prevent criminals, with outstanding warrants for their arrest, from being released from jail and committing additional crimes. Jake's Law, House Bill 144, was signed into law May 31, 2001. The bill is named in memory of Jake Robel who died tragically in February 2000.
- Budgeted \$2.6 million to combat illegal drugs through education, prevention, treatment, and law enforcement.
- Signed legislation to ensure that every peace officer in the state has the same minimum training of 470 hours and to require continuing education for all officers. House Bill 80 was signed into law July 2, 2001.
- Signed legislation to toughen the state's laws dealing with methamphetamine and criminalize the use of so-call "club drugs." House Bill 471 was signed into law on June 18, 2001.
- Signed legislation to pay for medallions and certificates in recognition of World War II service. House Bill 207 was signed into law on May 23, 2001.
- Signed legislation to award honorary high school diplomas to all honorably discharged World War I, World War II, and Korean War veterans who did not complete their education after the war. House Bill 441 was signed on July 12, 2001.

# HOMELAND SECURITY

The events that unfolded on September 11, 2001, were the deadliest attacks ever on American soil. Missourians grieved with the nation and united in support of each other and our great country. The tragic events of that day have made the entire nation more sensitive to personal, community, state, and national security concerns.

In many respects, Missouri was the first state in the nation, outside of the states directly attacked, to respond to the events of September 11. Two weeks after the bombings in New York and Washington, D.C., Governor Holden appointed a special advisor to review Missouri's security efforts. The Governor's advisor, Colonel Tim Daniel, will coordinate with the National Homeland Security Director, Governor Tom Ridge, and work on the following priorities:

- Reviewing the state's existing emergency response plans and making necessary changes.
- Leading and coordinating efforts of the Governor's Security Panel.
- Supporting the Governor's effort to assure Missouri gets its share of federal assistance to address state and local security issues.
- Reviewing federal law to determine whether it is inconsistent with Missouri law with regard to the severity of penalties for terrorists or related issues.

## Missouri Security Panel

In early October, the Governor ordered the formation of a Missouri Security Panel, composed of statewide elected officials, officials from state government, local law enforcement, private citizens, and other relevant officials. The panel is headed by the Special Advisor to the Governor on Homeland Security.

Governor Holden directed the panel to assess the readiness of the state and its communities to deter, prevent, and appropriately respond to acts of terrorism in Missouri. It will make recommendations to the Governor and the

General Assembly. The panel is exploring the state's needs while creatively developing the most cost-effective ways to:

- Enhance communication between government agencies and the media, the business community, and the citizens of the state.
- Provide a short-term mechanism for leadership decisions. The panel will conduct a security audit to identify potential public and private targets and determine which facilities require additional precautions.
- Improve public safety around the state.

The panel has been hard at work developing ideas to improve the state's security. The Governor expects recommendations from the panel by the end of January 2002, in the following areas:

- Health, Medical and Environment – to ensure a comprehensive public health response that protects Missouri citizens, food, and the environment from terrorist attacks.
- Government Operations and Facilities – to prepare Missouri for deterrence, prevention, and prosecution of terrorism.
- Transportation – to assess critical transportation assets.
- Utilities – to identify critical assets such as water systems, dams, and electrical stations.
- Critical Technologies – to identify significant vulnerabilities in information operations around the state, including state government computer systems.
- First Responders – to design updated training and equipment.
- Public Awareness and Public-Private Partnerships – to promote partnerships to enhance security and improve public awareness and communication with the public.

## **Administrative Initiatives to Address Missouri's Immediate Security Needs**

In addition to the work of the security panel, the Governor is working with state departments to immediately:

- Create a database to track and catalog all terrorist threats made throughout the state. This database will assist state and local law enforcement in preventing acts of terrorism within the state, and can be used for investigative purposes in the event that there is an attack.
- Create a biological agent registry within the state Department of Health and Senior Services. This will enable the state to know the location of such substances, their quantity, and how they are stored.
- Develop a memorandum of understanding among schools, local law enforcement, and emergency management officials. This will ensure that all relevant parties know in advance that law enforcement and emergency management officials have blueprints, floor plans, access codes, and other items that may be needed quickly in the event of an emergency; what communications procedures should be followed; and how to manage transportation issues.
- Conduct an administrative review of all state web-based information and materials to ensure critical information concerning state buildings and infrastructure is not readily available over the Internet for criminal use.
- Plan for an annual, statewide-readiness drill. It is vital to determine that plans made by state security experts will work. An annual test of procedures and new security initiatives will make clear that Missouri is prepared in practice and not just on paper.
- Provide 700 MHz bandwidth communication for public safety. This technology helps ensure that law enforcement agencies can share information quickly and will move the state forward in building a seamless communication web for all law enforcement agencies.

## **State Public Health Laboratory**

The State Public Health Laboratory plays a crucial role in detecting disease outbreaks and quickly identifying a possible bioterrorism attack. It is the starting point for public safety and public health responses to an emergency incident. As the number and types of tests performed have increased in recent years, its small and inflexible space, equipment, and ventilation system have proven inadequate. Occurrences after September 11 have placed additional strains on the lab and its staff. For instance, the lab dealt with more than 135 separate occurrences of suspected anthrax exposure. To equip the laboratory with the tools and facilities to deal with recent changes in testing, Governor Holden proposes the state's Board of Public Buildings issue revenue bonds to build the new state health lab currently being designed. Construction will begin in 2003 as originally planned.

## **Security Measures Taken to Protect Missourians**

Since September 11 Governor Holden has worked hard to ensure the state is prepared for attacks against the citizens of Missouri. The Governor has:

- Appointed a Special Advisor on Homeland Security to coordinate Missouri's security efforts.
- Traveled to Washington, D.C. to meet with Governor Tom Ridge, National Homeland Security Director, and members of Missouri's congressional delegation to advise them on Missouri's security concerns; advocate for federal funding; and emphasize the need for state, federal, and local government cooperation.
- Formed the Missouri Security Panel to assess the state's security needs.
- Called to duty over 500 Missouri National Guard soldiers to protect potential Missouri targets, reinforce security at Missouri's eight commercial airports, protect Missouri's two nuclear power facilities, and assist with homeland security efforts across the nation.
- Released funding to the Department of Health and Senior Services to meet the increased demand for anthrax testing and prepare for other bioterrorist attacks.
- Redirected approximately \$600,000 to address homeland security, primarily to provide security at major state office buildings around the state.
- Worked with the state Attorney General to protect Missourians from price gouging and prosecute those violating Missouri's price gouging rules. Following the September 11 attacks, 48 gas stations around the state paid over \$60,000 in fines for rule violations.
- Directed the Department of Health and Senior Services to work with federal and local authorities investigating the discovery of anthrax at the U.S. Postal Service's Stamp Fulfillment Center in Kansas City during November 2001.
- Sponsored a Special Operations Symposium for firefighters, emergency management officials, and hazardous materials specialists from around the state.
- Directed the Department of Public Safety to increase inspection of hazardous materials and conduct a threat assessment on strategic bridges around the state.
- Directed that additional security measures be taken at large state government facilities throughout the state.

## **Budget Initiatives to Address Missouri's Most Pressing Security Needs**

The Governor recommends select Fiscal Year 2003 budget items to address basic security needs and improve the state's ability to respond in emergency situations, including:

- \$2.5 million to fund the security panel's recommendations and address any additional security issues that emerge during the next fiscal year.
- \$2.4 million in redirected core funding to make security improvements at the State Capitol and Harry S Truman State Office Building in Jefferson City.
- \$909,894 for the Capitol Police to provide enhanced security to buildings in the state's Capitol Complex in Jefferson City.
- \$764,855 for the Department of Health and Senior Services to improve the high-alert biological, chemical, and radiological surveillance system; expand the capacity of the State Health Laboratory; analyze potential health threats; and provide timely responses to law enforcement. These enhancements will improve the readiness of the state's public health system.
- \$600,000 to study the ability of the state's technology systems to continue to operate basic systems in the case of a catastrophic event.
- \$384,213 to provide control over deliveries made to the Truman State Office Building and the State Health Laboratory in Jefferson City. Also, with this funding, security surveillance will be enhanced at state-owned facilities throughout the state and maintained on a 24 hour/7 day per week basis.
- \$275,905 to upgrade security at the Missouri Supreme Court Building in Jefferson City and Appellate Court buildings in Kansas City, St. Louis, Poplar Bluff, and Springfield.
- \$150,000 to support the continued efforts of Task Force One, the state's emergency response unit that was sent to New York to assist with search and recovery efforts.

## **2002 Legislative Initiative Homeland Security**

To enhance the safety of Missouri citizens, bring to justice anyone who threatens that safety, and update our laws to make sure the state is prepared for potential terrorist activities, Governor Holden recommends legislative initiatives that:

- Close a legal loophole to ensure that anyone who makes a false terrorist threat is charged with a felony. The current statute does not cover all hoaxes or situations such as an anthrax scare that cause a building to be quarantined.
- Penalize gasoline retailers that victimize consumers by inflating their prices to profit from a state or national emergency. The public should be protected from situations like the one following the September 11 attacks where gas stations inflated gas prices to as much as \$9.99 a gallon. Those guilty of price gouging can be forced to pay restitution to customers and will face civil and criminal penalties.
- Establish a felony crime for persons having devices with intent to manufacture bombs. Currently, no statute directly addresses the issue of constructing a bomb or having the necessary materials to do so. Criminals who are caught in the preparation of committing such a heinous act must be punished.
- Establish a flexible cap for highway funds that support the State Highway Patrol. Currently funds are capped at the Fiscal Year 2001 level. A flexible cap is a fiscally responsible way to increase security on our roads without placing additional burdens on the state general revenue fund.
- Increase penalties for introducing contaminants into public water systems.
- Prohibit the transport of hazardous loads through tunnels.
- Allow the temporary licensure of health care workers in emergency situations.
- Expand the state's Emergency Volunteer Program to include man-made catastrophic events.
- Permit the closure of state waterways in the event of an emergency.

## **Missouri Domestic Violence Task Force**

Executive Order 01-13, signed by Governor Holden on August 10, 2001, established and created the Missouri Domestic Violence Task Force to develop solutions for domestic violence in Missouri.

The Task Force was established to:

- Inventory state funding and resources dedicated to domestic violence.
- Enhance public and private resources.
- Investigate opportunities to expand domestic violence prevention and intervention services.
- Develop a coordinated and integrated strategic action plan that will advance the needs, policies, and priorities set by the Task Force.

A Preliminary Progress Report was presented to Governor Holden with each of the Task Force's recommendations for legislative action during the Second Regular Session of the 91<sup>st</sup> Missouri General Assembly. Initial recommendations made by the Task Force to Governor Holden for addressing domestic violence through legislative action during the 2002 session include:

- Extending the statute of limitations for the prosecution of rape and sodomy.

- Amending the relocation provisions in the dissolution and child custody statutes in Chapter 452 to provide protections for parents and children who are victims of domestic violence and seek to relocate after a divorce. The Missouri House Interim Committee on Relocation is currently holding hearings and investigating Missouri's relocation statute.
- Asking the General Assembly to clarify the enabling legislation that attempted to create the grant program for domestic violence services in unserved communities. An error in this section of law, 455.300 RSMo, forced Governor Holden to veto the \$1 million appropriation for grants that would have gone to the Department of Social Services to provide domestic violence services for Missouri communities without assistance programs. These services would include outreach, advocacy, prevention, and community education services.
- Removing the statutory "sunset clause" that ended the ability of a county governing body to establish a \$2 civil case filing fee designated to provide operating revenues for domestic violence shelters. This amendment was approved by both the Missouri House and Senate in 2000 but failed to achieve final passage. Further amendment of this section of law should expand the eligibility for these funds to non-residential, non-profit domestic violence programs.

### **2002 Legislative Initiative Statute of Limitation for Rape and Sodomy**

Missouri law classifies most crimes. This classification systematically determines the amount of time a prosecutor has to file a specific criminal charge. Rape and sodomy are currently unclassified crimes, leading to confusion concerning the amount of time a prosecutor has to charge a person with those crimes. Two of Missouri's Courts of Appeals have ruled differently on the issue. Meanwhile, sophisticated investigation techniques, such as genetic blueprinting, are continually increasing law enforcement's ability to solve crimes that were perpetrated years ago. In order to resolve this discrepancy and make sure that a perpetrator can be brought to justice whenever the evidence is uncovered, Governor Holden calls on the General Assembly to pass legislation that, for the purposes of the statute of limitation, classifies rape and sodomy as Class A felonies. For this classification, prosecution can be commenced at any time. There should be no statute of limitation on these heinous crimes.

## Office of Victims of Crime

Within Missouri state government, funding for services to victims is spread across six different departments. State bureaucracy should not be a hindrance to victims of crime or those at the local level assisting victims and their families. Last year Governor Holden proposed, and the General Assembly enacted, Senate Bill 267 which established an office in the Department of Public Safety to:

- Serve as a clearinghouse for victim assistance and victims' rights issues.
- Provide a central point of contact for crime victims in the state of Missouri.
- Serve as a coordinating agency and ongoing point of contact for the statewide network of crime victim service providers.
- Provide training and technical assistance for new and existing victim services programs.
- Coordinate a statewide automated victim notification system.
- Develop, coordinate, and implement a statewide response in the event of a catastrophic crime in order to meet the immediate needs of the crime victims resulting from such an incident.

Governor Holden's Fiscal Year 2003 budget includes:

- \$413,481 to implement the Office of Victims of Crime established in Senate Bill 267 (2001). The office will assist crime victims, advocates, and local communities to provide fair and just treatment of crime victims.

## Missouri Protectors

Missourians have served with distinction in the armed forces of our nation, placing their lives at risk in order to preserve our freedom. The U.S. Veterans Administration reports that there are over 569,000 veterans in Missouri. The events of September 11 were yet another reminder of the debt this country owes to the men and women who have answered the call to assure freedom. Governor Holden recommends the following to honor Missouri veterans and increase the capability of the Missouri National Guard:

- Working with Lt. Governor Joe Maxwell, chair of the Veterans Benefits Awareness Task Force, to locate and assist these veterans in claiming the benefits they are owed. There are over 35,000 Missouri veterans who are entitled to more than \$350 million per year in federal benefits.
- \$5.3 million in federal funds for planning, design, and construction of a new armory in the southern part of the Kansas City area. Missouri was chosen to be the home for a new National Guard Engineer Company. Currently there is no armory in this area to accommodate the unit and its equipment.
- \$10 million for renovation of the World War I Liberty Memorial in Kansas City. This funding is included in Governor Holden's supplemental recommendations for Fiscal Year 2002.
- \$2 million for veterans' memorial renovation and construction grants.
- \$487,134 for resident care services at the new Mt. Vernon Veterans' Home and a new dementia wing of the St. Louis Veterans' Home.
- \$128,468 for two new veterans' cemeteries at Bloomfield and Jacksonville, and to expand the Springfield Veterans' Cemetery.



## Enhancing Public Safety

The state also helps ensure public safety through prevention and treatment of substance abuse, treatment of persons whose mental disabilities make them dangerous to themselves or others, and custody and treatment for individuals judged to be sexually violent predators. Governor Holden's Fiscal Year 2003 recommendations include:

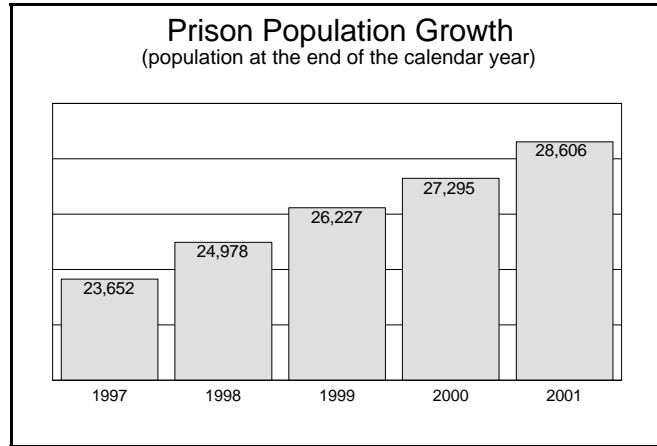
- \$1.4 million to expand the treatment program for sexually violent predators at the Southeast Missouri Mental Health Center. In Fiscal Year 2003, the number of persons detained or committed to the program is expected to increase by 45.
- \$1.9 million in federal funds to provide housing to homeless Missourians with mental disabilities and substance abuse problems.
- \$1.2 million in federal funds to pilot a school-based drug prevention and intervention program for youth and expand and ensure the effectiveness of community-based drug prevention services.
- \$127,000 for the Attorney General to consult outside experts in cases involving sexually violent predators.

## Keeping Prisoners Behind Bars

Missouri law contains some of the toughest anticrime provisions in the country. As a result, Missouri now requires dangerous, violent criminals to serve longer sentences than ever before. These "get tough"

provisions have resulted in safer Missouri communities and a rapidly expanding prison population. During the last seven years, Missouri's inmate population has grown by 10,695 inmates. The Governor will meet the public's demand for protection from dangerous and violent criminals. The Fiscal Year 2003 budget provides funding for new prison beds and less expensive alternatives to incarcerate non-violent offenders, including:

- \$30 million to open the Eastern Reception and Diagnostic Correctional Center in Bonne Terre.
- \$10.2 million to maintain the current capacity and open 288 additional beds at the Southeast Correctional Center in Charleston.
- \$3.6 million to provide temporary housing units needed until additional space becomes available.
- \$13.6 million to meet the increased costs of the projected inmate population in Fiscal Year 2003.
- \$540,000 for planning and design for seven new community corrections centers. Offenders with no previous criminal convictions and those at risk for revocation for technical violations of probation or parole can be more effectively supervised in their local community. Community correction centers will be secure facilities that provide a cost-effective alternative to incarceration.
- \$129,497 to conduct warrant checks on prisoners prior to release as required by Jake's Law (House Bill 144, 2001).



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